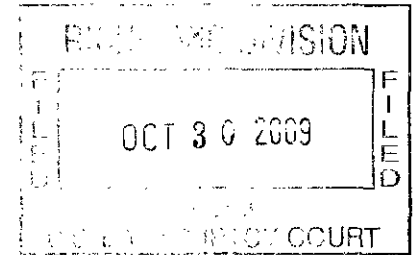


ORIGINAL

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division



In re:)	Chapter 11
)	
CIRCUIT CITY STORES, INC., <u>et al.</u> ,)	Case No. 08-35653
)	
Debtors.)	Jointly Administered
)	

**CREDITOR JONATHAN CARD'S MOTION TO APPEAR TELEPHONICALLY
AT THE NOVEMBER 3, 2009 OMNIBUS CONFERENCE**

JONATHAN CARD, on behalf of himself and all others similarly situated ("Creditor"), by and through his undersigned counsel, hereby requests that the Court permit Creditor's counsel to appear at the November 3, 2009 Omnibus Conference Telephonically. In support of this Motion, Creditor states as follows:

1. On November 3, 2008, Creditor Card commenced a class action styled Card v. Circuit City Stores, Inc., Case Number 37-2008-00095260-CU-OE-CTL, in the Superior Court of California County of San Diego on behalf of himself and all others similarly situated. Creditor Card's Complaint seeks overtime compensation, compensation for missed meal and rest breaks, waiting time penalties and attorneys' fees under California law. The class action-styled case seeks to represent all California-based assistant managers who were employed by Debtors and who were not paid overtime compensation, or provided meal and rest breaks.

2. On January 13, 2009, Creditor Card, through his counsel, timely filed a proof of claim with claims administrator Kurtzman Carson. Creditor Card's claim is identified as claim

Matthew Righetti (SBN 121012)
John Glugoski (SBN 191551)
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Facsimile: (415) 397-9005
*Counsel to Jonathan Card, on Behalf of
Himself and All Others Similarly Situated*

numbers 6040 and 6047.

3. Creditor submitted a timely response in opposition to Debtors' Thirty-First Objection to Claims [Docket No. 4943]. Pursuant to the Court's order entered October 16, 2009 [Docket No. 5294], Creditor's claim is among those to be addressed at the omnibus status conference scheduled for November 3, 2009.

4. Creditors' counsel is located in California State. In order to avoid the time and expense of traveling to Virginia for the omnibus status conference, Creditor respectfully requests that the Court permit Creditor's counsel to appear by telephone at the November 3, 2009 conference, rather than make a personal appearance.

Dated: October 29, 2009

Respectfully submitted,

/s/ Matthew Righetti

Matthew Righetti (CA SBN 121012)

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*Counsel to Jonathan Card, on Behalf of
Himself and All Others Similarly Situated*

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division

In re:)	Chapter 11
)	
CIRCUIT CITY STORES, INC., et al.,)	Case No. 08-35653
)	
Debtors.)	Jointly Administered
_____)	

**[PROPOSED] ORDER GRANTING CREDITOR JONATHAN CARD'S
MOTION TO APPEAR TELEPHONICALLY AT THE
NOVEMBER 3, 2009 OMNIBUS CONFERENCE**

The Court hereby GRANTS Creditor Jonathan Card's Motion to Appear Telephonically
At the November 3, 2009 Omnibus Conference.

Dated: Richmond, Virginia

_____, 2009

HONORABLE KEVIN R. HUENNEKENS
UNITED STATES BANKRUPTCY JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of October 2009, a copy of the foregoing Motion and Proposed Order was served by U.S. Mail, postage prepaid upon the following:

Skadden, Arps, Slate, Meagher & Flom, LLP
One Rodney Square
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-and-

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/s/ Jenna Peterson

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ENCLOSURE FOR YOUR INFORMATION

October 29, 2009

To: Clerk of the Court – Rm. 4000

Re: Case No. 08-35653

Enclosed please find ORIGINAL PLUS two of:

- **CREDITOR JONATHAN CARD'S MOTION TO APPEAR
TELEPHONICALLY AT THE NOVEMBER 3, 2009 OMNIBUS
CONFERENCE AND [PROPOSED] ORDER**

Please mail back one file endorsed copy in the enclosed prepaid envelope.

Please call 800/447-5549 with any problems with this filing.

Sincerely,

Jenna Peterson
Paralegal
(415) 983-0900
(800) 447-5549